

**STATE OF CONNECTICUT
BOARD OF EXAMINERS FOR NURSING**

Julie Hua
12 Black Pond Road
Clinton, CT 06413

Petition No. 2001-0611-010-035

MEMORANDUM OF DECISION

Procedural Background

Julie Hua (hereinafter "petitioner") was issued registered nurse license number E54511 on March 23, 1992.

Pursuant to a Memorandum of Decision dated September 8, 1994, the Board of Examiners for Nursing (hereinafter "the Board") ordered the revocation of petitioner's registered nurse license.

In a letter dated February 27, 2001, petitioner requested that the Board reinstate her registered nurse license. Resp. Exh. A-1.

Pursuant to petitioner's request, the Board issued a Notice of Hearing dated June 6, 2001, scheduling a hearing for September 19, 2001. Board Exh. 1.

The hearing took place on September 19, 2001, at the Legislative Office Building, Capitol Avenue, Hartford, Connecticut. Petitioner was present at the hearing and was represented by counsel. Transcript, p. 2.

Each member of the Board involved in this decision attests that he/she was present at the hearing or has reviewed the record, and that this decision is based entirely on the record and the Board's specialized professional knowledge in evaluating the evidence.

Findings of Fact

Based on the testimony given and the exhibits offered into evidence, the Board makes the following Findings of Fact:

1. Pursuant to a Consent Order dated May 13, 1993, the Board ordered petitioner's registered nurse license placed on probation for a period of three (3) years effective June 1, 1993, for diversion and abuse of the controlled substance Demerol, tampering with injectable Demerol, and falsifying controlled drug and medication administration records while working at Bridgeport Hospital, Bridgeport, Connecticut during 1992. Board Exh. 1.
2. Pursuant to a Memorandum of Decision dated September 8, 1994, the Board ordered the revocation of petitioner's registered nurse license. The order was based on the Board's findings of petitioner's diversion and abuse of Demerol while working at Bridgeport Hospital, Bridgeport, Connecticut during December 1993, and for violating the probation of her registered nurse license as set forth in the Consent Order dated May 13, 1993. Board Exh. 1.

3. Since the revocation of her registered nurse license petitioner has engaged in therapy and counseling for substance abuse. Transcript, p. 43.
4. Petitioner's current therapist, who has been petitioner's counselor since October 2000, is of the opinion that petitioner can safely return to the practice of nursing. Resp. Exh. A-2-1; Transcript, pp. 18-19.
5. Petitioner has been a regular participant of Rational Recovery, a self-help recovery program in Clinton, Connecticut. Resp. Exh. A-4-1.
6. The results of urine screening, to which petitioner has submitted, for the period between May 2000 through August 2001 have been negative for the presence of alcohol and/or drugs. Resp. Exh. A-6.
7. Petitioner has been employed by Laidlaw Transit Inc., Madison, Connecticut since September 1994. During her employment with Laidlaw Transit Inc. petitioner has been required to submit urine screens, all of which have been negative for the presence of alcohol and/or drugs. Resp. Exh. A-5; Transcript, pp. 33-34.
8. Petitioner plans to complete a registered nurse refresher course at Fairfield University, Fairfield, Connecticut. Resp. Exh. A-1.

Discussion and Conclusions of Law

In accordance with the Notice of Hearing, petitioner has the burden of satisfying the Board that she is able to practice as a registered nurse with reasonable skill and safety.

The Board finds that the petitioner has presented relevant and credible evidence as required by the Notice of Hearing. Based on a review of the evidence presented, the Board finds that petitioner has had a lengthy period of recovery from substance abuse and has a good recovery program in place, and there is no evidence of active substance abuse.

The Board concludes that petitioner has met the burden of satisfying the Board of her ability to return to the practice of nursing with reasonable skill and safety.

Order

Pursuant to its authority under §19a-17 and §20-99 of the General Statutes of Connecticut, the Board of Examiners for Nursing hereby orders the following:

1. The registered nurse license, No. E54511, previously issued to petitioner is reinstated to probationary status as of the effective date of this decision.
2. Petitioner's registered nurse license, No. E54511, is placed on probation for a period of four years commencing on the effective date of this decision.

3. If any of the following conditions of probation are not met, petitioner's registered nurse license may be subject to disciplinary action pursuant to §19a-17 of the General Statutes of Connecticut.

- A. Petitioner shall successfully complete a Board approved registered nurse refresher program. The refresher program shall include one-on-one supervised medication administration.
- B. Certification of successful completion of the refresher program cited in Paragraph A shall be submitted to the Board, directly from the educational institution where said program was taken, within thirty (30) days of the program's completion.
- C. Until such time that petitioner successfully completes the refresher program, petitioner is prohibited from practicing as a nurse and petitioner's registered nurse license will be restricted and used for the sole purpose of participating in the refresher program.
- D. During the period of probation, the Board shall pre-approve petitioner's employment or change of employment within the nursing profession.
- E. Petitioner shall provide a copy of this Memorandum of Decision to any and all employers if employed as a nurse during the probationary period. The Board shall be notified in writing by any employer(s), within thirty (30) days of the commencement of employment, as to receipt of a copy of this Memorandum of Decision.
- F. Petitioner shall not administer, count or have access to controlled substances, or have responsibility for such activities in the course of nursing duties during the first year of working as a nurse during the probationary period. Petitioner may administer controlled substances as part of the registered nurse refresher program provided she receives direct supervision from a nursing instructor.
- G. If employed as a nurse, petitioner shall cause monthly employer reports to be submitted to the Board, by her immediate supervisor during the entire probationary period. Employer reports shall be submitted commencing with the report due on the first business day of month following employment as a nurse.
- H. The employer reports cited in Paragraph G above shall include documentation of petitioner's ability to safely and competently practice nursing. Employer reports shall be submitted directly to the Board at the address cited in Paragraph T below.

- I. Should petitioner's employment as a nurse be involuntarily terminated, petitioner and/or her employer shall notify the Board, within seventy-two (72) hours, of such termination.
- J. If petitioner pursues further training in any subject area that is regulated by the Department, petitioner shall provide a copy of this Memorandum of Decision to the educational institution or, if not the institution, to petitioner's instructor. Such institution or instructor shall notify the Department in writing of receipt of a copy of this Memorandum of Decision within fifteen (15) days of receipt. Said notification shall be submitted directly to the Department at the address cited in Paragraph T below.
- K. At her expense, petitioner shall engage in therapy and counseling for chemical dependency with a Connecticut licensed or certified therapist, approved by the Board and the Department, during the entire period of probation.
- L. Petitioner shall provide a copy of this Memorandum of Decision to her therapist. The Board shall be notified in writing by her therapist, within thirty (30) days of the effective date of this Decision, as to receipt of a copy of this Memorandum of Decision.
- M. Petitioner shall cause monthly evaluation reports to be submitted to the Board by her therapist during the entire probationary period.
- N. The therapist reports cited in Paragraph M above shall include documentation of dates of treatment, and an evaluation of petitioner's progress, including alcohol and drug free status, and ability to safely and competently practice nursing. Therapist reports shall be submitted directly to the Board at the address cited in Paragraph T below.
- O. At her expense, petitioner shall be responsible for submitting to observed random chain of custody urine screens for alcohol and drugs for the entire probationary period, at a testing facility approved by the Board, after consultation with the Department, as ordered by her therapist, and/or personal physician, and/or employer. Alcohol/drug screening may also be ordered by the Board of Examiners for Nursing to ensure compliance with this Order. Random alcohol/drug screens shall be legally defensible in that specimen donor and chain of custody can be identified throughout the screening process. Petitioner shall be responsible for immediately notifying the laboratory, her therapist and/or personal physician and the Board of Examiners for Nursing of any drug(s) she is taking.

- (1) There must be at least one (1) such random alcohol/drug screen every other week during the entire probationary period.
- (2) Random alcohol/drug screens shall be negative for the presence of alcohol and drugs. All positive results shall be confirmed by the Gas Chromatograph Mass Spectrometer (GC/MS) testing method. Chain of custody documentation must accompany all laboratory reports and/or the laboratory reports must indicate that chain of custody procedures have been followed.
- (3) Random alcohol/drug screens must include testing for the following substances:

Amphetamines	Methadone
Barbiturates	Methaqualone
Benzodiazepines	Opiates (Metabolites)
Cannabinoids (THC Metabolites)	Phencyclidine (PCP)
Cocaine	Propoxyphene
Meperidine (Demerol)	Ethanol (alcohol)

- (4) Laboratory reports of random alcohol and drug screens shall be submitted directly to the Board and the Department, at the address cited in Paragraph T below, by petitioner's therapist, personal physician or the testing laboratory.

P. Petitioner shall not obtain for personal use and/or use alcohol or any drug that has not been prescribed for her, for a legitimate purpose, by a licensed health care practitioner authorized to prescribe medications. Petitioner shall not abuse and/or excessively use any drugs that are prescribed for a legitimate medical purpose.

Q. Petitioner is hereby advised that the ingestion of poppy seeds may produce a positive drug screen result indicating the presence of opiates/morphine and that the ingestion of mouthwash may produce a positive result indicating the presence of alcohol. For that reason, any food substance containing poppy seeds, and mouthwash should be avoided during the probationary period. In the event that a drug/alcohol screen is positive for opiates/morphine and/or alcohol, the ingestion of poppy seeds and/or mouthwash shall not constitute a defense to such positive screen.

R. The Connecticut Board of Examiners for Nursing must be informed in writing prior to any change of employment.

S. The Connecticut Board of Examiners for Nursing must be informed in writing prior to any change of address.

T. All correspondence and reports are to be addressed to:

Bonnie Pinkerton, RN, Nurse Consultant
Department of Public Health
Division of Health Systems Regulation
410 Capitol Avenue, MS #12HSR
P. O. Box 340308
Hartford CT 06134-0308

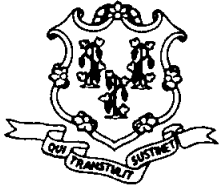
4. That any deviation from the terms of probation, without prior written approval by the Board of Examiners for Nursing, shall constitute a violation of probation, which will be cause for an immediate hearing on charges of violating this Order. Any finding that petitioner has violated this Order will subject petitioner to sanctions under §19a-17(a) and (c) of the General Statutes of Connecticut, including but not limited to, the revocation of her license. Any extension of time or grace period for reporting granted by the Board of Examiners for Nursing shall not be a waiver or preclude the Board's right to take subsequent action. The Board of Examiners for Nursing shall not be required to grant future extensions of time or grace periods. Notice of revocation or other disciplinary action shall be sent to petitioner's address of record (most current address reported to the Licensure and Registration Section of the Division of Health Systems Regulation of the Department of Public Health or the Board of Examiners for Nursing).
5. This Memorandum of Decision becomes effective on the date signed by the Board of Examiners for Nursing

The Board of Examiners for Nursing hereby informs petitioner, Julie Hua, and the Department of Public Health of the State of Connecticut of this decision.

Dated at Newington, Connecticut this 6th day of March, 2002.

BOARD OF EXAMINERS FOR NURSING

By 



STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

March 6, 2006

Julie Hua, RN
12 Beach Park Road
Clinton, CT 06413

Re: Memorandum of Decision
Petition No. 2001-0611-010-035
License No. E54511

Dear Ms. Hua:

Please accept this letter as notice that you have satisfied the terms of your license probation, effective March 6, 2006.

Notice will be sent to the Department's Licensure and Registration section to remove all restrictions from your license related to the above-referenced Memorandum of Decision.

Please be certain to retain this letter as documented proof that you have completed your license probation.

Thank you for your cooperation during this process.

Very truly yours,

A handwritten signature in cursive script that reads "Bonnie Pinkerton".

Bonnie Pinkerton, RN, Nurse Consultant
Practitioner Licensing and Investigations Section

cc: J. Filippone
J. Wojick



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